

A DECLARATION, CONTEY-

NYNG THE IVST CAUSES

**and consyderations, of this
p̄sent warre with the**

Scottis, wherin al-

soo appereth the

trewe & right

title, that

the kin-

ges

most royall maiestie hath to

the souerayntie of

Scotlande.

S

By H 8. 1542

*4. excellent record of the king
showing how just he was to the
Scottis and how he was to the English king*



By R H 8. 1542

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BEYNG NOVVE EN=

forced to the warre, which we haue al
ways hitherto so moch abhorred and
fled, by our neighbour and Nephieu
the kyng of Scottis, one, who, aboue
all other, for our manyfold benefites
towardis hym, hath most iust cause to loue vs, to ho-
nor vs, and to reioise in our quiet: we haue thought
good to notify vnto the world his doinges and beha-
uour in the prouocation of this warre, and lyke wyle
the meanes and wayes by vs vled to exchue and ad-
uoyde it, and the iust and true occasions, wherby we
be nowe prouoked to prosecute the same, and by vtte-
rance and d'vulging of that matier, to disburden som
part of our inwarde displeasure and grieve, and the
circumstaunces knowen, to lament openly with the
worlde, the infelicitie of this tyme, in which thinges
of suche enomytie do brest out and appere.

THE KYNG of Scottes our Nephieu and neigh-
bour, whom we in his youth & tender age preserued
and mayntained from the great danger of other, and
by our authoritie and power conduced hym sauely to
the reall possession of his estate, he nowe compeilleth
and forceth vs for preseruacion of our honoure and
right, to vse our puissaunce and power agaynst hym.
The like unkindenes hath ben heretofore shewed by
other in semblable caces agaynst goddis lawe, mans
lawe, and al humanitie: but the oftener it chaunceth,
the more it is to be abhorred, & yet in the persons of
pryncis for the raritie of theym can so happen but sel-

done, as it hath nowe come to passe.

IT HATH ben very rarely and seldom seen befoze, that a king of Scottis hath had in mariage a doughter of England: we can not, ye wyl not reprehend the kynge our fathers acte therein, but lament and be sozr it toke no better effecte. The kynge our father in that matter mynded loue, amitie, and perpetuall frendshyp betwene the posteritie of both, whiche how soone it fayled, the death of the kynge of Scottis, as a due punishment of god for his iniuste inuasion into this our realme, is and shall be a perpetuall testimony to theyr reproche for euer, and yet in that present tyme coude not the unkyndenesse of the father extinguishe in vs the naturall loue to our Nephieu his sone, being than in the myserable age of tender pouthe: but we than forgetting the dyspleasure that shulde haue worthily prouoked vs to inuade that realme, nurrished and brought by our Nephieu to achieue his fathers possession and gouernemēt, where in he nowe so unkyndly bseth and behaueth hym towardes vs, as he compelleth vs to take armour and warre agaynst hym.

IT IS specially to be noted, byon what groundes, and by what meanes we be compelled to this warre, wherein among other is our chiefe griefe and displeasure, that vnder a colour of faire spech and flattering wooordes, we be in dedes so iniured contempned and dispised, as we ought not with sufferance to pretermitte and passe ouer. Wooordes wytinges letters messages, ambassiatys, excuses, allegations, coude not moze

moze pleasantly, moze gently, ne moze reuerently be deuised and sente, then hath bene made on the kynge of Scottis behalfe vnto vs, and euer we trusted, the tree wold byyng forth good fruite, that was on thone partie of so good a stocke, and contynually in appa-
rance put forth so fayre buddes: and therfore wolde hardely byleue oꝝ gyue eare to other, that euer alled-
ged the dedes to the contrary, being neuerthelesse the same dedes so manyfest, as we muste nedes haue re-
garded them, had we not haue ben so lothe to thinke euell of our Nephieu, whom we had so many wayes bound to be of the best sozte towarde vs. And there-
fore hauynge a message sente vnto vs the yere paste from our sayde Nephieu, and a promise made foꝝ the repayyng of the sayd kynge of Scottis vnto vs to Yorke, and after great preparation on our part made therfore, the same metyng was not onely disappoynted, but also at our being at Yorke, in the lieu therof, an inuasion made by our said Nephieu his subiectes into our realme, declaryng an euident contempt and dispite of vs: we were yet gladde to impute the de-
faute of the metyng to thadupse of his counsaylle, and the inuasion to the lewdnes of his subiectes: and accordyng therunto gaue as benigne and gentyl au-
dience to suche Ambassadours, as repayed hither at the Christmas afterwarde, as if noo suche causes of displeasure had occurred, specially consyderynge the good wooꝝdes, swete wooꝝdes, pleasant wooꝝdis, est-
sones proponed by the sayd Ambassadours, not only to excuse that was past, but also to perswade kindnes
and

and perfect amittie to ensue. And albeit the kyng of
Scottis haupnge contrary to tharticle of the leage
of amittie, receyued and ent reteigned suche rebelles,
as were of the chief and pzinciple, in sterringe the in-
surrection in the North agaynst vs, with refusal be-
fore tyme, vpon request made to restore the same: yet
neuerthelesse vpon offer made by the sayde ambassa-
dours, to sende commission to the bozdures, to deter-
mine the debates of the confinies in the same, with so
great a pzetence of amittie and so fayze woordes, as
coude be in speche despyzed: we were contente for the
tyme to forbear to presse them ouer extremely in the
matter of rebels, Albeit we neuer remitted the same,
but despyzous to make triall of our sayde Nephieu in
some coztrespondence of dedes, condescended to the
sendyng of commissioners to the bozders, whiche to
our great charge we dyd, and the kyng of Scottes
our said Nephieu the semblable. Where after great
trauaile made by our Commissioners, this fruite en-
sued, that being for our part chalenged a piece of our
grounde, playnly vsurped by the Scottis, and of no
great value, being also for the same shewed such eu-
dence, as moze substanciall, moze autentique, moze
playne and euydent, can not be bzoughte fourthe for
any parte of grounde within our realme. The same
was neuerthelesse by them denied, refused, and the e-
uidence only for this cause reiected, that it was made
(as they alledged) by Englishemen. And yet it was
soo auncient, as it coude not be counterfaite nowe,
and the value of the grounde so lytell, and of so smal
wayte,

wayte, as no man wolde haue attempted to falsifie
foz suche a matter. And yet this denyall being in this
wyse made vnto our Commissioners, they neuer the
lesse by our comādemēt departed as frendes, from
the Commissioners of Scotlande, takyng order as
hath ben accustomed foz good rule vpon the bozders
in the meane tyme.

AFTER whych they receſſe, the lord Maxwell,
warden of the west marches of Scotland, made pro-
clamation foz good rule, but yet added therewith, that
the bourderers of Scotlande shuld withdraue their
goodes from the bourders of England: And incon-
tinentely after the Scottishe men bourdurers, the
fourth of July, entred into our realme sodeynly, and
spoyled our subiectes, contrarpe to our leages, euen
after suche extremitie, as it had bene in tyme of open
warre. wherat we moche meruayled, and were com-
pelled therfoze to furnishe our bourdour with a gar-
rison foz defence of the same. wherbyon the kyng of
Scottis sente vnto vs James Leyzmouth, maister
of his howseholde, with letters deuysed in the most
pleasant maner, offerynge redresse and reformation
of al attemptates. And yet neuerthelesse at the entre
of the sayde Leyzmouth into England, a great num-
bre of the Scottis, than not loked foz, made a forrey
into our bourders, to the great annoyance of our sub-
iectes, and to theyr extreme dett:ment, wherwith and
with that vilsimely dissimulation, we were not a lyt-
tell moued, as reason wolde we shulde. And yet dyd
we not fynally soo extremely perlecute and continue
our

our sayde displeasure, but that we gaue benigne audience to the sayde Leymouth, and suffered our selfe to be somewhat altered by his wordes and sayre promyses, tending to the perswasion that we euer desired, to fynde the kyng of Scottis suche a Nephieu vnto vs, as our proximitye of bloude, with our gratuitie vnto hym, dyd require.

IN THE meane tyme of these sayre woordes, the dedes of the borders were as extreme as myghte be, and our subiectes spoyled: and in a roade made by sy Robert Bowes for a reuenge therof, the same sy Robert Bowes with many other taken prysoners, and yet deteyned in Scotlande, without puttyng them to fyne and raunsome, as hath ben euer accustomed. And beinge at the same tyme a surceaunce made on bothe sydes at the suite of the sayde Leymouth for a season: the Scottis ceased not to make sundry inuasions into our realme in suche wyse, as we were compelled to forgette sayre woordes, and onelye to consider the kyng of Scottes dedes, whiche appered vnto vs of that sort, as they ought not for our duetie in defence of our subiectes, we coulde not in respecte of our honour, be passed ouer vnreformed: and therfore put in a redynesse our army, as a due meane wherby we myght atteigne suche a peace, as for the safeguard of our subiectes we be bounde to procure.

AFTER whiche preparation made, and knowlege had therof, the kyng of Scottis cessed not to vse his accustomed meane of sayre woordes, which in our natural inclination wrought efftones their accustomed effect,

effect, euer moze desirous to fynd in the king of Scottis such a regard and respect to be declared in dedes, as the correspōdence of naturall loue in the Nephieu to suche an Uncle, as we haue shewed our selfe towards hym, dothe require. Wherfoze vpon new request and suite made vnto vs, we determined to stay our army at Yorke, appoynting the Duke of Norff. our lieutenaunt, the lord priuy seale, the byshop of Dureham, and the master of our hōsles, there to cōmen treate and conclude with the Ambassadours of Scotlande, for an amitie and pear vpon suche conditions, as by reason and equitie were indyfferent, wherby the warre might be exchued, being by sundry inuasion of the Scottis than open and manifest.

IN THIS communication betwene our and their commissioners, after diuers degrees of comission, shewed by the Scottis, and finally one, that was by our commissioners allowed, matiers were proponed for conclusion of amitie, nothing difficle or hard on our part, but so agreable to reason, as the commissioners of Scotlande sayd, they doubted not, but yf it myght ones be broughte to passe, that the kynge of Scottis our Nephieu might haue a meting with vs, all matiers shulde easly be componed and determined. Wher vpon they leste speakynge of any articles of amitie, and the ambassadours of Scotland made moche outward ioy in communication of a metinge, they shewed them selfe in wordis facion and behauor moche to delyte in it, to reioyce in it, and therewith thought it easy and facile to be concluded and accomplished

plysshed, and for their parte they toke it then for a thing passed, a thing concluded, and most certayn to take effect, and only desyred. vi. dayes to obteigne answere from their maister, and our army for that tyme to stay and go no further. Wherunto our commissioners then agreed.

AFTER THESE syxe dayes was sent a commission out of Scotlande, with power to conclude a meetinge precisely at suche a place, as they knew wel we wolde not, ne coulde not in wynter obserue and kepe, wherewith whan our commissioners were myscontent, the ambassadours of Scotland to relieue that displeasure, and to tempze the matier, wherby to winne more tyme, shewed forth their instructions, wherin liberty was gyuen to the ambassadours to excede their commission in the appoyntment of the place, and to consent to any other by our commissioners thought convenient, whiche maner of procedyng, when our commissioners refused, alledging that they wold not conclude a meetinge with men, hauynge no commission therunto, the ambassadours of Scotland vpon pretence to send for a more ample and large commission, agreeable to their instructions for appoyntment of the place, obtained a delay of other. vi. days, to sende for the said ample commission without restraynt of place. And after those. vi. dayes they brought forth a newe commission, made in a good fourme, and without exception. But therewith they shewed also newe instructions, conteynyng suche a restraynte as the former commission dyd conteyne, so as the libertie gyuen to the

the Commissioners in the commission was nowe at the last remoued and taken away by the instructiōs, with addition of a special charge to the ambassadoꝝs not to excede the same.

AND thus fyrste the ambassadours of Scotlande seemed to haue wyll and desyre to conclude of a place semely and conuenient, whiche for want of commission they myght not do, and at the laste myght haue concluded a metynge by vertue of theyꝝ commission, and then for feare of the commandement in theyꝝ second instructions they durst not. And so they shewed theyꝝ fyrst instructions partly to excuse theyꝝ kynge, who shulde seme secretely to wyll moze, than in the commission he dyd openly pꝛofesse.

AND THAN with an ample commission from the kyng, they shewed theyꝝ secret instructiōs for defence of them self, why they pꝛoceded not according to their commission, not carynge howe muche they charged therein their kyng, whose faulte they disclosed to dyscharge them self, trusting that by benefite of the winter appꝛochyng, and the tyme lost in theyꝝ communication theyꝝ maister shulde be defended agaynst our power for this yere, without doynge for theyꝝ parte that by honour, right, lawe, and leages they be obliged and bounde to do. And in this meane tyme our subiectes taken prisoners in Scotland coulde not be deliuered vpon any ransome, contrary to al custome and vsage of the border in the tyme of pear & warre, and in this meane tyme staid a great part of our army already pꝛested, and in our wages to go forwarde.

In this tyme ambassadours (as ye haue herde) assembled to talke of an amitie and conclude it not. The treatynge of amitie was put ouer by communication of a metynge.

THE communication of metynge was so handled by alteration of comynssion and instructions on theyr behalfe, as it appereth a playne deuise onely excogitate for a delay, whych hath gyuen vs lyght, where vpon moze certainly to iudge the king of Scottis inward affection towarde vs, whose dedes and wordes well wayed and considered, dothe vs playnely to vnderstande, howe he hath contynually laboured to abuse vs with swete and pleasant wordes, and to satisfy the appetites of other at home and abrode with his vnkynde and displeasing dedes. In his wordes he professeth an indissoluble amitie, he alledgeth kinned, he knowlegeth benefites, onely the faulte is that he speaketh an other langage to all the worlde in dedes, and therby so toucheth vs in honour and denegation of iustyce, as we be inforced and compelled to vse the sworde, whiche god hath put in our hande as an extreme remedy, wherby to obteigne bothe quiete for our subiectes, & also that is due vnto vs by right, pacts, and leages.

WE HAVE patiently suffered many delusions, and notably the laste yere, when we made preparation at York for his repaire to vs: But shuld we suffer our people and subiectes to be so ofte spoyled without remedy? This is done by the Scottis what soo euer theyr wordes be. Shulde we suffer our rebelles to be
detey-

deceyved contrary to the leages without remedye :
This is also done by them what so ever they? wordes
be. Shuld we suffer our lande to be vsurped contra-
ry to our most playne euidence, onely vpon a wylle,
pypde, and arrogancye of the other partie? This is
done by them what so ever they? wordes be. And all
these be ouer presumptuously done agaynste vs, and
gyue suche signification of they? arrogancy, as it is
necessary for vs to oppresse it in the begynning, lest
they shuld gather further courage to the greater dis-
pleasure of vs and our posteritie hereafter. And yet
in the entreating of this matier, if we had not eu-
dently perceyued the lacke of suche affection as proxi-
mitie of bloudd shulde require, we wold muche ra-
ther haue remitted these iniuries in respecte of proxi-
mitie of bloud to our Nephieu, than we dyd hereto-
fore the inuasion of his father. But consydering we
be so surely ascertayned of the lacke therof, and that
our bloud is there frorne with the cold ayre of Scot-
lande, there was neuer pryncce moze byolently com-
pelled to warre then we be, by the vnkynde dealing,
vniust behauour, vnpryncely demeanour of him that
yet in nature is our Nephieu, and in his actes and
dedes declarerth hym selfe not to be moued therwith,
ne to haue suche earnest regarde to the obseruation of
his pactes and leages, ne such respect to thintretyn-
ment of the administration of Justice, as naturall e-
quitie byndeth, and conseruation of amitie dothe re-
quire: whiche we muche lament and be sozry for, and
vse nowe our force and puissaunce agaynste hym, not

for reuengeance of our priuate displeasure (being so often deluded as we haue ben) but for recouerye of our right, the preservation of our subiectes from injuries, and the obseruation of such leages as haue passed betwene vs, firmly trusting, that almighty god, vnder whom we reigne, woll assist and ayde our iust proceedinges herein to the furtherance and aduancement of the right, whiche we doubt not shal euer preuaile againste wronge falseheade deceipte and dissimulation.

¶ **HITHERTO** it appereth how this present warre hath not proceeded of any demaund of our right of superiority, which the kinges of Scottes haue alwaies knowleged by homage and fealtie to our progenytours euen from the begynnynge: But this warre hath ben prouoked and occasioned vpon present matter of displeasure, present iniury, present wrong mistred by the Nephieu to the Uncle most vnnaturally, and supported contrary to the desertes of our benefites most vnkindly. If we had minded the possession of Scotland, and by the motion of warre to attayne the same, there was neuer kynge of this realme had more oportunitie in the minority of our Nephieu. As in any other realme a prince that hath more iuste title, more euident title, more certayn title, to any realme that he can clayme, than we haue to Scotland, not diuersed by pretense of marriage, not imagined by couenaunt, or contriued by inuention of argument, but lineally descended from the begynnynge of that estate established by our progenitours, and recogni-
sed

sed successiuelly of the kinges of Scotlande by dedes
woꝝdes actes & wꝛitinges cōtinuallly almost without
interruption, or at the leest intermission, tll the reigne
of our progenitour Henry the, vi, in whose time the
Scottis abused the Ciuile warre of this realme, to
theyꝝ licence and boldnes, in omitting of their dutie:
whiche foꝝ the pꝛoximitie of bloudde bitwene vs, we
haue ben slacke to requite of them, being also of our
selfe inclined to peace, as we haue euer been alwayes
glad, rather without pꝛeuidice to omitt to demaunde
our right, if it myght conserue peace, than by deman-
dyng therof to be sene to moue war, specially against
our neighbour, against our Nephieu, agaynst hym,
whom we haue pꝛeserued from daungier, and in such
a tyme as it were expedient foꝝ all Chꝛistendome to
be vnite in peace, wherby to be the moꝝe able to resist
the common ennemy the Turke.

BVT foꝝ what so euer considerations we haue o-
mitted to speake hitherto of the matier, it is neuer the
lesse true, that the kynges of Scottes haue alwayes
knowleged the kynges of Englande superioꝝ lordes
of the realme of Scotlande, and haue done homage
and fealtie foꝝ the same.

THIS appereth fyꝛst by histoꝛie, wꝛitten by such as
foꝝ confirmation of the trueth in memoꝝy, haue truly
noted and signified the same. SECONDLY it ap-
pereth by instrumentes of homage made by the ky-
nges of Scottis, and dyuers notable personages of
Scotlande, at dyuers and sundꝝy times sealed with
theyꝝ seales, and remaynyng in our Treasoꝛy.

Thirldy

THIRDLY it appereth by registers and recozdes iudicially and autentiquely made, yet preſerued for conſpyrmation of the ſame. So as the matter of title being moſt playne, is furniſhed alſo with all maner of euidences for declaration therof.

FIRST AS concernynge hiftozies, whiche be called witneſſes of tymes, the lyghte of trueth, and the lyfe of memozy, and fynally the conuenient way and meane, wherby thinges of antiquitie may be brought to mens knowlege, they ſhewe as playnly this mat- tier as coude be wyſhed or required, with ſuch a con- ſent of wyters, as coude not ſo agree vppon an vn- truth, contepnyng declaration of ſuch matter as hath moſt euident probabilitie and apparance. For as it is probable and lykely, that for the better adminiſtrati- on of iuſtyce amonges rude people, two or mo of one ſtate might be rulers in one countrie vnite as this Iſle is: ſo is it probable and lykely, that in the begin- nyng it was ſo ordered for auoydinge diſcention, that there ſhulde be one ſuperiour in righte, of whom the ſayd ſtates ſhuld depende. Accordyng wherunto we rede howe Brutus, of whom the realme than callyd Brytayne toke fyrſt that name (being befoze that tyme inhabited with gyauntes, people without order or ci- uilitie) had thze ſonnes, Loctrine, Albanact, and Cam- ber, and determinyng to haue the whole Iſle within the Ocean ſea to be after gouerned by them thze, ap- poynted Albanact to rule that now is called Scot- lãd, Camber the parties of waales, and Loctrine that now is called Englande: vnto whom as beinge the elder

elder sonne, the other two brothers shuld do homage recognisynge and knowltragynge hym as theyr superior. Nowe consider if Brutus conquered all this Ilande, as the hystoꝛy sayeth he dyd, and then in his owne tyme made this order of superioꝛitie as afoze: Howe can there be a title diuised of a moze playne begynninge, a moze iuste begynninge, a moze conuenient begynninge foꝛ the order of this Ilande, at that tyme spectally when the people were rude, which can not without continual strife and variaunce conteyne two oꝛ the rulers in all poyntes equall without any maner of superioꝛitie, the inwarde conscience and remozse of whiche superioꝛitie shulde in some part dull and diminishe the peruerse courage of resistance and rebellion. The fyꝛst diuision of this Ile we fynde it wyte after this sort without cause of suspicion why they shulde wyte anysse. And accoꝛdyng herevnto we fynde also in hystoꝛy set foꝛth by diuerse, howe foꝛ transgression agaynst this superioꝛitie, our pꝛedecessours haue chastised the kinges of Scottis, and some deposed, and put other in their places.

vꝛz. wll here ompt to speake of the rudenes of the antiquitie in particularitie, which they cared not distinctly to count to wyting, but some authoꝛs, as Anthonius Sabellicus amonges other diligently enserchyng, what he might truely wyte of al Europe, and the Ilandes adioynynge, ouer and besides that whiche he writeth of the nature maners and condyctions of the Scottis, whiche who so lyst to rede, shal fynde to haue bene the very same in tymes paste, that

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we fynde them nowe at this present, he calleth Scot-
lande part of Englande, which is agreable to the di-
uision aforesaid, beinge in dede as in the lande con-
tynuall without separation of the sea, so also by ho-
mage and fealtie vnite vnto the same, as by particu-
lar declaracions shall most manifestly appere by the
testimony of suche as haue left wyting for proue and
confirmation therof. In whiche matter passing ouer
the death of kynge Humbre, the actes of Dunwald
king of this realme, the diuision of Belin & Brene, the
victories of king Arthure, we shal begyn at the yere
of our lord, DCCCC, which is, DCXLII, yeres by past,
a tyme of sufficient auncientie, from whiche we shall
make speciall declaration and euidence of the execu-
tion of our right and title of superiortie euermore
contynued and preserued hytherto.

¶ EDVVARDE the fyrst befoze the conquest, sonne to
Alured kynge of Englande had vnder his dominion
and obedience the king of Scottis. And here is to be
noted, that this matter was so notozious and mani-
fest, as Maryon a Scot wyting that stoye in those
dayes, graunteth confesseth and testifieth the same,
and this dominion contynued in that state, XXXII,
yere: At whyche tyme Athelstaine succeeded in the
crowne of Englande, and hauynge by battayle con-
quered Scotlande, he made one Constantine kynge
of that partie, to rule and gouerne the countray of
Scotlande vnder him, adding this princely woorde,
That it was moze honour to hym to make a kynge,
than to be a kynge.

XXIIII, yeres after that, whiche was the yere of our lord, **DCCCCXLVII**, Eldred kyng our progenitour, Athelstains brother, toke homage of Irlis therein kinge of Scottis.

XXX, yeres after that, whiche was the yere of our lord, **DCCCCLXXVII**, kyng Edgar our predecesour toke homage of Kynalde king of Scottis. Here was a lyttell trouble in Englande by the death of sayncte Edward kyng and martyr, destroyed by the deceite of his mother in lawe: but yet within memory.

XL, yeres after the homage done by Kynald to kyng Edgar, that is to say, in the yere of our lord, **MXVII**, Malcolme the kyng of Scottes dydde homage to Knute our predecesour. After this homage done the Scottis vttered some piece of theyr naturall disposition, wherbypon by warre made by our progenitour sainte Edward the confessor, **XXXIX**, yere after that homage done, that is to say, the yere of our lord, **MLVI**, Malcolme kyng of Scottis was vanquished, and the realme of Scotlande gyuen to Malcolme his sonne by our sayd progenitour sayncte Edward: vnto whome the sayde Malcolme made homage and fealtye.

WITHIN, **XI**, yeres after that wylliam Conquerour entred this realme, wherof he accompted no perfect conquest, vntyll he had lykewise subdued the Scottis, and therfore in the sayde yere, whiche was in the yere of our lord, **MLXVIII**, the sayd Malcolme kyng of Scottis dyd homage to the sayde wylliam Conquerour, as his superiour by conquest kyng of

Englande.

xxv, yeres after that, whiche was the yere of our
Lorde, M x c i i i, the sayde Malcolme dyd homage
and fealty to William Rufus, sonne to the said Wil-
liam Conquerour: and yet after that was for his of-
fences and demerites deposed, and his sonne substi-
tute in his place, who lykwyle sayled in his duetie,
and therfore was ordeyned in that astate by the sayd
William Rufus, Edgare brother to the laste Mal-
colme, and sonne to the fyrste, who dyd his homage
and fealtie accordingly.

vii, yeres after that, which was in the yere of our
lorde, M c, the sayd Edgar kynge of Scottis, dydde
homage to Henry the fyrste, our progenitour.

xxxvii, yere after that, Dauid kynge of Scottis
did homage to Matilde the Emperatrice, as daugh-
ter and heyre to Henry the fyrst. wherfore beinge af-
ter requyred by Steuen, then obteynynge possession
of the realme, to make his homage, he refused so to
do, bycause he had before made it to the sayde Ma-
tilde, and therbypon forbore. After whiche Dauids
deathe, whiche ensued shortly after, the sonne of the
sayd Dauid made homage to the said kynge Steuen.

xiiii, yeres after that, whiche was in the yere of
our lorde, M c l, William king of Scottis, and Da-
uid his brother, with al the nobles of Scotlād made
homage to HENRY the secondes sonne, with a reser-
uation of theyr dutie to Henry the second his father.

xxv, yeres after that, which was in the yere of our
lorde, M c lxxv, Wylliam kinge of Scotlande, after
moche

moche rebellion and resistance, accordyng to their naturall inclination, kyng HENRY the seconde, than being in Normandy, William then kyng of Scottis knowledged synally his errour, and made his peace and composition, confirmed with his great seale, and the seales of the Nobilitie of Scotlande, makynge therewith his homage and fealtie.

WITHIN, XV, yeres after that, which was the yere of our lord, MCLXXX, the sayd William kyng of Scottes, came to our cite of Canturbury, and there dydde homage to our noble progenitour kyng RICHARDE the fyrst.

XIIII, yeres after that, the sayd William dyd homage to our progenitour kyng JOHN, vpon a hyll besides Lincoln, makynge his othe vpon the crosse of Hubert than archbishop of Canturbury, being there present a meruaylous multitude assembled for that purpose.

XXVI, yeres after that, whiche was in the yere of our lord, MCCXVI, Alexander kyng of Scottis married Margaret, the doughter of our progenitoure HENRY the thyrde, at our cite of Yorke, in the feast of Christmas: at which tyme the said Alexander dyd his homage to our sayde progenitour: who reigned in this realme, LVI, yeres. And therfore betwene the homage made by the sayde Alexander kyng of Scottes, and the homage done by Alexander, sonne to the sayd kyng of Scottis, to Edward the fyrst at his coronation at Westmester, there was about fyfty yeres, at whiche tyme the sayde Alexander kyng of

C.iii.

Scot-

Scottis repaired to the sayde feast of coronation,
there dyd his duetie as is afoze sayde.

WITHIN, XXVIII, yeres after that, which was
the yere of our lozde, M C C L X X X I I, John Balliol
kyng of Scottis, made homage and fealtie to the
sayde kyng Edward the fyfste, our progenitour.

AFTER THIS began Robert Bruce to blurpe the
crowne of Scotlande, and to moue sedition therfoze,
againste them of the house of Balliol, whiche made
foz a season some interruption in the sayde homage:
but yet no intermission without the termes of memo-
ry. Fo: within, X L I I I, yere after, whiche was the
yere of our lozde, M C C C X X V I, Edward Baliol, af-
ter a great victoꝝy in Scotlande agaynst thother fa-
ction, and entopenge the crowne of Scotland, made
homage to our progenitour Edward the thyrde.

AND, X X, yeres after that, which was in the yere
of our lozde, M C C C X L V I, David Bruce, who was
euer in the contrary faction, dyd neuerthelesse in the
title of the crowne of Scotland, wherof he was then
in possession, make homage to our sayde progenitours
Edward the thyrde.

WITHIN, I X, yeres after, this Edward the thyrde,
to chastise the infidelitie of the Scottis, made warre
agaynst them: where after great victoꝝies, Edward
Balliol haupng the iust and ryght title to the realme
of Scotlande, surrendzed clerely the same to our said
progenitour at the towne of Rokysbrough in Scot-
lande: where our said progenitour accepted the same,
and than caused hym selfe to be crowned kyng of
Scot-

Scotlande, and for a tyme enterteigned it, and enioyed it, as very proprietarye & owner of the realme, as on thone partie by confiscation acquyzed, and on the other part by free wpll surrendred vnto hym.

AND then after the death of our sayd progenitour EDVVARDE the thirde, beganne seditions and insurrectiones in this our realme, in the tyme of our progenitour RICHARDE the second, whiche was augmented by the alteration of the state of the sayd Rycharde, and the deuolution of the same, to Henry the IIII, so as the Scottis had som leysure to play their vagues, and folowe their accustomed manier. And yet Henry the, v, for reconery of his right in France, commaunded the kyng of Scottis to attende vppon hym in that iourney. And in this tyme the realme of Scotlande being descended to the house of the Stewardes, of which our Nephieu directly cometh, James Stewarde kyng of Scottis, in the yere of our lord, MCCCCXXIII, made homage to Henry the, VI, at Wyndesour. whiche homage was distaunt frome the tyme of the other homage made by Dauid Bruce LX, yeres and moze, but farre within the freshe memory of man.

ALL which homages and fealties as they appere by story to haue ben made and done at tynes and season as afoze: so do there remayne instrumentes made ther vpon and sealed with the seales of the kynges of Scotlande testifyenge the same. And yet dothe it appere by story, how the Scottis practised, to steale out of our treasury diuers of these instrumentes, which
neuer

neuerthelesse were after recovered agayn. And to the intent ye may knowe of what fourme and tenour the sayde instrumentes be, here is inserted the effecte in worde and sentence as they be made, which we do, to mete with the cauellation and contriued euasion of the Scottes, alleaginge the homage to haue benne made for the Erlدome of Huntynghton, whiche is as trewe as the allegation of hym that is burnte in the hande, to saue he was cut with a sikell. And therfoze the tenour of the homage is this.

I Iohh R. kynge of Scottes shall be trewe and feythfull vnto you lord Edward by the grace of god kynge of Englande, the noble and superiour lord of the kyngdome of Scotlande, and vnto you I make my feydelitte of the same kyngdome of Scotland, the whiche I holde, and clayme to holde of you: and I shall beare to you my feythe and fidelitte of lyfe and lynage and worldely honour agaynste all men, and feythfully I shall knowleage, and shal do to you seruice due vnto you of the kyngdome of Scotlande as forsayd, as god so helpe me & these holy euangelies.

NOVE FOR the thyrde parte touchinge recordes and registres, we haue them so formall, soo autentiquall, so seriously handeled, and with suche circumstances declarynge the matiers, as they be & ought to be a great corroboration of that hath ben in stories wryten and reported in this matier. For amonges other thynges we haue the solempne acte, and iudicial processe of our progenitour EDWARD the firste, in discussion of the title of Scotland, when the same was

was challenged by twelue competitours: That is
to say,

Florentius comes Holandie.

Patricius de Dunbar comes de Merchia.

V Villielmus de Vesty.

Villielmus de Ros.

Robertus de Pinbeny.

Nicholaus de Soules.

Patricius Galightly.

Rogerus de Mundeville.

Ioannes Comyn.

D. Ioannes de Hastings.

Ioannes de Balliolo.

Robertus de Bruse.

Ercius rex Norvvegie.

AND fynally after a great consultation & mature
deliberation, with discussion of the allegatiōs propo-
ned on all parties, sentence was gyuen for the title of
Ballioll, accoꝝding wherunto he enioyed the realme.
But for confirmation of the duety of homage befoze
that tyme obserued by the kynges of Scottis, it ap-
pereth in those recoꝝdes, howe when those competi-
tours of the realme of Scotland repaired to our said
progenitour, as to the chiefe lord for discussion of the
same, in as moche as the auctozitie of the iudgement
to be gyuen depended ther vpon: It was than orde-

D

red

red, that the hole parliament of Scotland spirituall
tempozall and of all degrees assembled for that pur-
pose, and considering vpon what ground and founda-
tion the kynges of Scotlande had in tymes paste
made the sayd homages and recognition of superyo-
ritie, the sayd parlyament fynyng the same substan-
tiall good and true, shulde if they so demed it, yelde
and geue place, and by expresse consent recognise the
same. At whiche parlyamente was alledged vnto
theym, as appereth in the same recordes, not ouely
these actes of the prynces before those dayes, and be-
fore reherfed: but also besydes the testamonye of sto-
ryes, the wytynges and letters of foreyn pryncis, at
that tyme recitynge and reherfynge the same. wher-
vpon the sayde parlyament dyd there agree to this
our superiorytie, and ensuyng theyr determination
dyd particularly and seuerally make homage and fe-
aultie with proclamation: That who soo euer with-
dye hym selfe from doynge his duettie therein, shulde
be taken and reputed for a rebel. And so all made ho-
mage & fealtie to our progenitour Edward the first.
The realme was in the tyme of the disussion of the
title ruled by gardians deputed by hym: all castels &
holdes were surrendred to hym as to the superiour lord
in the tyme of vacation, benefices, offices, fees, pro-
motions passid in that tyme from the mere gift of our
sayde progenitour, as in the right of this crowne of
England. Sheriffes named and apoynted, writtis &
preceptes made obeyed and executed: And finally al
that we do now in the Duchy of Lancaster, the same
dyd

dyd our progenitout for the tyme of contention for that title in the realme of Scotlande, by the consent and agrement of all astatess of the realme assembled and consulted with for that purpose. At whiche tyme the byshoppes of saynt Andzewe and Glascow were not as they nowe be archebysshoppes, but recognised the prouince of our archebysshop of Yorke, whiche extended ouer all that countrey.

NOW if the Scottis wyl take exception to the homages of theyr pryncis, as made in warre & by force whiche is not true: what wyl they say or can they for shame alledge agaynst their owne parliamēt, not of some, but of all confirmed & testified by theyr writynge and seales: wherunto nothing enforced them, but right and reason, being passed in peace and quiet without armour or compulsion. If they say they did it not, they speake like them selues: If they say they dyd it, then doo they nowe lyke them selves, to withdraue their duetie, not so moche to be blamed, as to be amended.

THVS APPERETH vnto you the begynnynge of the righte of supertoritie, with a perpetuall continuance, without intermission within memory, certayne omission and forbearynge vpon the groundes and occasions befoze specified we deny not. Wherby they haue many tymes sought and taken theyr oportunities, to withdraue the doynge of theyr duetie in knowlege of our superiortie ouer theym, whiche to auoyde, they haue not cared what they sayde or alleged, though it were neuer so vntreue: lyeng alwayes

in alwayte whan they myght annoy this realme, not without theyr owne great dangier peryl and extreme detriment. But as they detrected the doing of theyr duetie, so god euer graunted vnto this realme force to compell them ther vnto within memory, not withstanding any theyr interruption by resistance, which vnto the tyme of our progenitour Henry the, vi, neuer indured so longe as it made intermission within tyme of mynde, wherby the possession might seme to be enpaired, from the tyme of Henry the, vi, vnto the leuentyh yere of our reigne, how our realme hath ben for a season lacerate and tozned by diuersitie of titles, tyl our time and sins by warre outwardly vexed and troubled, The story is so lamentable for some parte therof, as were tediousse to reherse.

SITHENS THE deathe of our progenitour Henry the, vi, our grandfather Edward the, iiii, reigned, who after great trauailes to attayne quietnes in his realme, finally in the tyme of preparation of warre against Scotlande, dyed.

RICHARDE the, iii, than vsurped for a smalle tyme in yeres, whom the kynge oure father by the strength of goddis hande ouerthrewe in battail, and mooste iustly attayned the possession of this realme, who neuertheles after the great tempestuous stormes fyndynge all matiers nat yet broughte to a perfecte quiete and reste, ceassed and forbare to require of the Scottis to do theyr duetie. thinkyng it policy rather for that time to assaye to tame theyr nature by the pleasant coniunction and conuersation of affinitie, then
to

to charge them with theyr fault, and requyre duety of them, when oportunitie serued not, by force and feare to constrainne and compell them.

AND thus passed ouer the reygne of oure father, without demaunde of this homage. And being our reygne now, xxxiiii, yeres, we were, xxi, yere letted by our Nephieu his minority, being then moze carefull howe to bypunge hym out of daungier, to the place of a king, then to receyue of him homage when he had full possession in the same. Wherefoze beinge now passed sithens the last homage made by the kinges of Scottis to oure progenitour Henry the, vi, cxxii, yere, at whiche tyme the homage was done at Wyndesore by James Stuard, then king of Scottis, as afoze. lvi, of these yeres the crowne of this realme was in contention, the trouble wherof engendred also some busynesse in the tyme of the kyng our father, whiche was, xxiii, yere: And in our tyme xxi, yere hath passed in the minority of our Nephieu. So as finally the Scottis resortynge to their onely defence of discontinuance of possession, can onely alledge iustly but, xii, yere of sylence in the tyme of our reigne, beinge al the other tymes sithens the homage done by James Steward, suche as the silence in them had they ben neuer so longe, coulde nat haue ingendred preiudice to the losse of any right, that may yet be declared and proued due. For what can be imputed to king Edward for not demanding homage, beinge in strife for that estate, wherby to the homage was due? What shulde Rycharde the, iii, serche for
homage

homage in Scotlande, that had neither right ne ley-
sure to haue homage done vnto hym in Englande :
who can blame our father, knowynge the Scottis
nature, neuer to do their duetie but for feare, if he de-
maunded not that of them, whiche they wold exchue
if they might, being his realme not clerely than pur-
ged from p^ll seede of sedition, sparkeled and scattered
in the cruell ciuile warres befoze.

L A V V E AND reason serueth, that the passing ouer
of tyme not commodious for the purpose, is not al-
legable in prescription for the losse of any right. And
the minozitie of the kyng of Scottis hath endured
x x i, yeres of our reigne, whych being an impediment
on their part, the hole prescription of the Scot-
tis, if the matier were p^{re}scriptible, is thus deduced
euidently to, x i i i, yere, whiche, x i i i, yere with-
out excule we haue ceassed and forborne to demaunde
our duetie, lyke as the Scottis haue lyke wyse ceassed
to offer and tende the same. For whiche cause neuer-
thelesse we do not enter this warre, ne mynded to de-
maunde any suche matier : Nowe beinge rather desir-
ous to reioyse and take comfort in the frendshyppe
of our Nephieu, as oure neyghbour, than to moue
in matier vnto hym of displeasure, wherby to alienate
suche naturall inclination of loue, as he shuld haue
towarde vs. But such be the workes of god, superior
ouer all, to suffre occasions to be minystrted, wherby
due superiozitie may be knowne demanded and requi-
red, to the intent that accordyng ther vnto all thinges
gouerned in due order here, we may to his pleasure
passe

3
passe ouer this lyfe, to his honour and glory, whiche
he grant vs to do in such rest peace and tranquillitie,
as shalbe mete and conuenient for vs.



LONDINI in officina Thomæ Berthe-
leti typis impress.
Cum priuilegio ad imprimen-
dum solum.

ANNO, M, D, XLII.